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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JUSTIN CODY HARPER,

Plaintiff,

vs.

CITY OF REDLANDS, REDLANDS
POLICE DEPARTMENT, POLICE
OFFICER KOAHOU, and DOES 1
through 10 Inclusive,

Defendants.

Case No.: CV23-00695 SSS (KK)
Judge: Hon. Sunshine Sykes

**DEFENDANTS' [PROPOSED] VOIR
DIRE QUESTIONS**

Final Pre-trial Conference

Date: April 4, 2025
Time: 1:00 pm
Courtroom: 2

Trial

Date: April 21, 2025
Time: 9:00 am
Courtroom: 2

Complaint Filed: April 19, 2023

1 **TO THE HONORABLE COURT AND TO ALL PARTIES AND**
2 **THEIR ATTORNEYS OF RECORD:**

3 Pursuant to Local Rule 16-4, Defendants, CITY OF REDLANDS AND
4 NICHOLAS KOAHOU (“Defendants”), respectfully submit the following
5 Proposed Voir Dire Questions.

6
7 **DEFENDANTS’ PROPOSED VOIR DIRE QUESTIONS**

8 1. Have you heard about or read anything about this particular case? If
9 so, have you ever seen any videos on television or on the Internet about this
10 particular incident?

- 11 a. Please describe what information you have concerning this
12 incident and how you obtained that information.
13 b. Based on what you’ve heard or seen concerning this particular
14 incident, do you feel that you can be fair and impartial if you
15 are selected to serve as a juror in this case?

16
17 2. Does anybody feel that because Plaintiff has filed a lawsuit, the
18 allegations are more likely true than not? If so, please describe why you feel that
19 way.

20
21 3. Have any of you ever been treated in what you considered an unfair or
22 improper manner by any member of a law enforcement agency including, but not
23 limited to, the Redlands Police Department? If so, please describe.

- 24
25 4. Have you ever sat on a jury where law enforcement officers testified?
26 a. If yes, have you formed any opinion about law enforcement
27 officers and their testimony based upon this experience? Please
28 describe.

- 1 5. In what city or community do you currently reside?
2 a. How long have you lived in this city or community?

3
4 6. Do any of you live in an area patrolled by the Redlands Police
5 Department?

- 6 a. If so, what is your opinion of the quality of law enforcement
7 services provided in your community?

8
9 7. Have any of you, a family member or close friend ever been detained
10 or arrested by any law enforcement agency? [Side bar or chambers discussion.]

11 If so,

- 12 a. Please describe the incident.
13 b. When did this occur?
14 c. Where did this occur?
15 d. What law enforcement agency(ies) was involved?
16 e. What was the outcome?
17 f. Given this event, what is your opinion of law enforcement?

18
19 8. Have you, a member of your family, or any of your close friends ever
20 been involved in any type of altercation or physical struggle with law enforcement
21 officers at any time? [Side bar or chambers discussion.]

22 If so,

- 23 a. When did this occur?
24 b. Where did this occur?
25 c. What law enforcement agency (ies) was involved?
26 d. What was the outcome?
27 e. Given this event, what is your opinion of law enforcement?
28 Please Describe.

1 9. Do any of you have a negative opinion of the Redlands Police
2 Department?

3 a. If so, please describe.
4

5 10. Has anyone on the prospective jury panel ever been convicted of a
6 crime? [Side bar or chambers discussion.]

7 a. If so, who was involved?

8 b. What happened/what was the crime?

9 c. When did this occur?
10

11 11. Do you believe that law enforcement officers are entitled to use
12 reasonable force in some situations such as to control a crime scene or to make an
13 arrest of a criminal suspect?
14

15 12. Do you believe law enforcement officers are either more likely or less
16 likely to be truthful than other people?

17 a. If so, please describe.
18

19 13. Have you ever had any negative interactions with law enforcement
20 officers before?
21

22 14. Have you or any members of your family ever filed a citizen's
23 complaint with a law enforcement agency before? If so, what happened?
24

25 15. Have you ever had positive interactions with law enforcement officers
26 before?
27
28

1 16. Do you believe that law enforcement officers should be allowed to
2 defend themselves or other law enforcement officers or persons from physical
3 harm when encountering a suspect?
4

5 17. Do you believe that law enforcement officers must wait until after
6 force is used against them before they can use force to defend themselves or their
7 fellow officers?
8

9 18. Have you ever personally witnessed a law enforcement officer use
10 force against someone?

11 If so,

12 a. Please describe the circumstances.

13 b. Did you feel that law enforcement handled the situation
14 properly or improperly?

15 c. Would anything about that experience affect your ability to be a
16 fair and impartial juror in this case?
17

18 19. Please raise your hand if you do not trust law enforcement officers to
19 use the right amount of force when arresting a suspect.
20

21 20. In ten (10) words or less, please describe what your opinion of law
22 enforcement is?
23

24 21. Do you have any ill feelings toward, or any negative opinion of, any
25 law enforcement officer? [If any potential juror answers in the affirmative, defense
26 counsel will request a sidebar to seek further detail, including but not limited to,
27 which agency was involved, the recency of the episode at issue, and the extent to
28 which, if at all, that incident would affect the juror's ability to be fair and impartial]

1 here.]

2
3 22. Do you believe that commands given by law enforcement officers
4 should be followed?

5 a. If not, why?

6
7 23. Have you, a close relative or friend ever been employed by or
8 volunteered with any law enforcement agency?

9 If so, please state:

10 a. The name and location of said law enforcement agency?

11 b. Whether you, your relative or friend were a paid employee or a
12 volunteer?

13 c. The year in which you, your relative or friend were hired?

14 d. Length of your, your relative or friend's employment?

15 e. What was the highest rank you, your relative or friend
16 achieved?

17 f. Have you, a relative or friend ever been terminated by a law
18 enforcement agency? If so, please tell us the reasons for such
19 termination to the best of your knowledge.

20
21 24. Do any of you have any special training or knowledge of law
22 enforcement training and/or experience in the area of use of force (For example,
23 Arrest & Control techniques, Police Tactics?

24 If so:

25 a. What is your knowledge and/or training?

26 b. Where, when and how did you acquire this knowledge and/or
27 training?

28 c. Do you think this would affect your ability to be a fair and

1 impartial juror?

2 25. Have you ever served in the military or any branch of the armed
3 forces?

4 If so, please state:

- 5 a. Which branch?
6 b. What was the highest rank you obtained?
7 c. How many years did you serve?
8

9 26. Do any of you, or a family member, or close friend have an
10 association with the justice system (i.e. corrections, probation, lawyer, judge, court
11 personnel)?

- 12 a. If yes, please describe.
13

14 27. Do any of you have any special training or knowledge in the area of
15 medicine?

16 If so:

- 17 a. What is your knowledge and/or training?
18 b. Where, when and how did you acquire this knowledge and/or t
19 raining?
20 c. Do you think this would affect your ability to be a fair and
21 impartial juror? If yes, please explain.
22

23 28. Do you understand that the burden of proof lies with the Plaintiff, and
24 that he must prove his case by a preponderance of the evidence?
25

26 29. If someone is a plaintiff in a lawsuit, does that prompt you to believe
27 that there must have been some wrongful act done to them?
28

1 30. Do you believe that a plaintiff might have a variety of motives for
2 initiating a lawsuit, besides being injured?

3
4 31. Is there anything that would prevent you from following the
5 instructions provided by the Court in this matter?

6
7 32. Are there any family, work, or military service responsibilities that
8 would impact your ability to serve as a juror in this matter?

9 a. If yes, please describe that impact.

10
11 33. Is there anything that you think this Court, counsel or the parties
12 should know of, or be aware of, regarding your ability to be a fair, impartial and
13 unbiased juror in this case? If yes, please explain.

14
15 Dated: March 20, 2025

16 Respectfully submitted,
17 JONES MAYER

18
19 By: *s/Denise Lynch Rocawich*
20 JAMES R. TOUCHSTONE
21 DENISE LYNCH ROCAWICH
22 Attorneys for City of Redlands and
23 Officer Koahou
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